

Testimony from Brett Frye, Board of Directors Family Rights Coalition

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Dear Representatives,

Hello and thank you for allowing me this time to voice my opinion on House Bill 4161. My position on this bill as introduced originally is one of favor yet I feel I must stand in opposition to the amended version.

House Bill 4161's amended version fails to address several key issues, which are of concern to many members of my organization. It falls far short of what would be considered in the best interests of the child.

1. **House Bill 4161 fails to address the needs and rights of children**

- a. By granting sole temporary custody without the inclusion of the father with some form of parenting plan, we seriously do a disservice to our children.
- b. Infants form trusting and lasting relationships with familiar caregivers and the objective of any custody legislation should be to promote these relationships not limit.
- c. Infants memories are not long; if a person is not in frequent contact with the infant, they will not remember this person. To keep an infant away from one or the other parent for more that a couple of days can seriously damage that child's ability to establish a bond with that parent.

In legislating something as (so called) harmless as an acknowledgment of paternity we must all keep in mind the serious and lasting effects this may have on real people, children and adults alike. We need to take into account the unintended consequences of these actions. To take the position that this is only a temporary situation and can be sorted out later in court is wrong. Trying to address this issue before the courts is becoming ever more difficult and expensive. Aside from the cost, it is time consuming. Keep in mind that children build these relationships with caregivers throughout the first six months of life and the longer you wait to attempt to establish the relationship the more difficult it becomes to gain the trust of the infant. So to leave this matter to an already over burdened court system, that it takes longer that six months to get a decision out of, would be reckless.

II. Section z of House Bill 4161

- a. In section g if a person were duped into believing that a child was his and signed the acknowledgment of paternity, he would give up a constitutional right to seek redress in the court system.

House Bill 4161 does not address item g under MCL 722.1007, which denies the parents a chance to present DNA evidence and or testimony refuting parentage after signing the parentage form. I see this as legalizing fraud when we should be protecting people from fraud. To allow this portion of the law to stand without being addressed would only continue to the idea of paternity fraud. Removing this section is paramount to the protection of the people of this state from fraud. Truth should always have priority. Perhaps DNA evidence of parentage should be a standard step in such situations. Certainly, such evidence should not be denied.

In closing, I would ask that this committee not pass the amended version of HB 4161, but would ask instead for this committee to push for the original bill striking MCL 722.1006 and have a provision striking section g of MCL 722.1007.

Thank You,

Brett Frye